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15 MAR 1982

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MEMORANDUM FOR:

FROM:

Chief, Information and Privacy Division

SUBJECT:

Agency Files Exempt under S.1273

1. The Information and Privacy Division has done a preliminary and tentative survey of Agency components to determine which files the DCI might specifically designate as exempt from search or review under the provisions of proposed Senate Legislation S.1273. All major components, with the exception of the Directorate of Science and Technology (DDS&T) have replied. This memorandum summarizes the results of the survey.

2. The Directorate of Operations (DO) evaluates their files as including material falling within exempt category 2 of S.1273. The DO would have the DCI designate their entire systems of records as exempt from publication or disclosure or search and review. (Attachment A)

3. The Directorate of Intelligence (DDI) advises that, with the possible exception of those records maintained by the Office of Imagery Analysis, none of their files should be designated as exempt. Hence, nearly all DDI files would be subject to search. However, any material surfaced which related to any of the four categories would not be subject to review under the Freedom of Information Act (FOIA). Any remaining documents, other than DDI originated, would be referred to components for review. Many of those would certainly then be exempted. For example, a clandestine service Foreign Intelligence Report would presumably not be subject to review since the office of origin is the DO, whose systems of records are exempt. After referrals to other government agencies, the DDI would be essentially left with only DDI originated material, i.e., finished intelligence.

4. Each of the major offices of the Directorate for Administration (DDA) were surveyed. At Attachment B are the results from the offices of Security, Medical Services, Communications, Logistics, Finance, Data Processing, and Information Services. As you can see the quality of these

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responses are mixed. For example, not all the files listed by the Office of Communications could be declared exempt. Moreover, its worth noting that with the exception of the Office of Security, most DDA files are infrequently searched in response to FOIA inquiries. I believe, however, it would still be in the Agency interest to seek to exempt most of those systems designated by the offices of Finance, Medical Services, Logistics, and Security. However, more careful scrutiny should be given to the declarations made by the offices of Communications and Data Processing.

5. As soon as the DDS&T provides their response, I will forward it to you.

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Attachments:

A & B

IPD/JEB/lr 15 Mar 82

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